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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 CATHERINE JOHNSON,

10 Plaintiff,

11 v.

12 COSTCO WHOLESALE CORPORATION, a  
Foreign Corporation; DOES I-X, and ROE  
13 ENTITIES I-X, inclusive,

14 Defendants.

CASE NO: 2:17-cv-02542-RFB-CWJ

**JOINT MOTION/STIPULATION AND  
ORDER TO CONTINUE  
DISCOVERY AND PRETRIAL  
DEADLINES (SECOND REQUEST)**

15 The above named parties, by and through their respective counsel of record, hereby move the  
16 court and submit the following STIPULATION/JOINT MOTION FOR EXTENSION OF  
17 DISCOVERY DEADLINES (First Request).

18 **A. DISCOVERY COMPLETED TO DATE**

- 19 1. On November 13, 2017, the parties held an initial rule 26(f) conference.  
20 2. Costco served its Rule 26 Initial Disclosures on November 30, 2017.  
21 3. Plaintiff served her initial disclosures on February 5, 2018.  
22 4. On or about December 8, 2017, Costco propounded its first sets of Interrogatories,  
23 Document Requests, and Requests for Admissions onto the Plaintiff. Plaintiff  
24 provided responses to Costco's Requests for Admissions on January 10, 2018.  
25 Thereafter, plaintiff provided responses to Costco's Interrogatories and Document  
26 Requests on February 6, 2018.  
27 5. On February 5, 2018, plaintiff served Costco with Interrogatories and Document  
28 Requests. Costco served it responses on April 19, 2018.

1           6. Plaintiff was deposed on February 27, 2018.

2   **B.     DISCOVERY THAT REMAINS TO BE COMPLETED**

- 3           1. Deposition of plaintiff's treating physicians and/or anticipated medical experts.
- 4           2. Deposition of Costco's person most knowledgeable.
- 5           3. Possible deposition of percipient witnesses.
- 6           4. Parties anticipate designating multiple expert witnesses and conducting the
- 7                 depositions of the designated experts

8   **C.     REASONS WHY DISCOVERY HAS NOT BEEN COMPLETED/CANNOT BE**

9           **COMPLETED WITHIN CURRENT DISCOVERY DEADLINES**

- 10          1. Plaintiff was previously represented by Atty. Gabriel Martinez of Greenman,
- 11                 Goldberg, Raby & Martinez.
- 12          2. On January 9, 2018, Atty. Lawrence Ruiz associated in to represent the plaintiff.
- 13                 Atty. Ruiz took over primary responsibility for this case.
- 14          3. Since Atty. Ruiz took over, the parties have been diligently working to complete
- 15                 discovery.
- 16          4. Further, the parties have been diligently working to resolve this case short of trial.
- 17                 To that end, the parties have halted conducting discovery for a short while in lieu of
- 18                 trying to settle amicably.
- 19          5. The parties are requesting the current scheduling deadlines be enlarged to allow
- 20                 additionally settlement talks prior to expert disclosures and the expected expert
- 21                 depositions, which will allow the parties to save great expense and hopefully resolve
- 22                 this matter.

23   **D.     CURRENT DISCOVERY SCHEDULE**

24           Disclose Initial Experts:                   April 30, 2018

25           Disclose Rebuttal Experts:                 May 30, 2018

26           Close of Discovery:                         June 29, 2018

27           Dispositive Motions:                         July 30, 2018

28           Pretrial Order:                                 August 30, 2018

1 **E. PROPOSED DISCOVERY SCHEDULE**

2 **Disclose Initial Experts: June 29, 2018**  
3 **Disclose Rebuttal Experts: July 27, 2018**  
4 **Close of Discovery: August 31, 2018**  
5 **Dispositive Motions: September 28, 2018**  
6 **Pretrial Order: October 30, 2018**

7 The instant stipulation/joint motion and order was not submitted at least twenty-one (21)  
8 days before the April 30, 2018 initial expert disclosure deadline because the need for the extension  
9 of the current discovery deadlines did not become absolutely apparent until after that time. Although  
10 the parties' intent was to honor and conduct discovery pursuant to the operative discovery deadlines,  
11 it appears improbable for the parties to complete the same for purposes of adequately prosecuting—  
12 and defending—the pertinent claims/issues during trial.

13 Accordingly, the instant joint motion and order to extend discovery for sixty (60) days is  
14 being submitted as soon as the failure to comply became apparent.

15 **AGREED TO BY:**

16 DATED this 19<sup>th</sup> day of April, 2018.

DATED this 19<sup>th</sup> day of April, 2018.

17 **RUIZ LAW FIRM**

**WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP**

18  
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24 **IT IS SO ORDERED.**

25 Dated April 20, 2018

26  
27   
28 **UNITED STATES MAGISTRATE JUDGE**